

# Fordham Law Review

---

Volume 66 | Issue 4

Article 30

---

1998

## The Practice of Law as a Vocation or Calling

Timothy W. Floyd

Follow this and additional works at: <https://ir.lawnet.fordham.edu/flr>



Part of the [Law Commons](#)

---

### Recommended Citation

Timothy W. Floyd, *The Practice of Law as a Vocation or Calling*, 66 Fordham L. Rev. 1405 (1998).  
Available at: <https://ir.lawnet.fordham.edu/flr/vol66/iss4/30>

This Article is brought to you for free and open access by FLASH: The Fordham Law Archive of Scholarship and History. It has been accepted for inclusion in Fordham Law Review by an authorized editor of FLASH: The Fordham Law Archive of Scholarship and History. For more information, please contact [tmelnick@law.fordham.edu](mailto:tmelnick@law.fordham.edu).

# THE PRACTICE OF LAW AS A VOCATION OR CALLING

Timothy W. Floyd\*

## THE CONCEPT OF CALLING

ANY discussion of work as a calling or vocation necessarily will employ religious language and concepts. The very notion of being “called” implies a caller. The idea of calling has deep roots in the Hebraic tradition. The God of the Bible is a God who speaks to individual persons and calls them to specific tasks. Indeed, throughout the Bible, God calls particular persons: God called Abram out of the land of his kindred to go to the land of Canaan;<sup>1</sup> out of the burning bush, God called to Moses to go to confront Pharaoh;<sup>2</sup> in the year that King Uzziah died, God called Isaiah from the Temple in Jerusalem;<sup>3</sup> on the road to Damascus, God called Saul/Paul.<sup>4</sup> Drawing upon this biblical concept, Christians have traditionally used the terms “calling” or “vocation” to refer to the work or activity that God desires and makes known for a person to do.<sup>5</sup> Christians believe that God calls particular individuals to do God’s will.<sup>6</sup>

When used in this sense, calling is a peculiarly personal issue. God “calls” specific individuals for specific purposes.<sup>7</sup> I believe that all persons have a destiny—and by that I mean they have a unique calling from God. The work of the theologian and novelist Frederick Buechner has been very helpful to me on these questions.<sup>8</sup> He emphasizes

---

\* Professor of Law, Texas Tech University School of Law.

1. *Genesis* 12:1-5. All references to the Bible in this article are to the New American Bible (1987).

2. *Exodus* 3:1 to 4:17.

3. *Isaiah* 6:1-13.

4. *Acts* 9:1-19.

5. For what are probably historical reasons, Catholics tend to use the Latin-derived “vocation”; Protestants tend to favor the Germanic/English “calling.” I think the two are entirely synonymous, and I will use the two interchangeably.

6. Despite the roots of the notion of “calling” in the Hebrew Bible, I cannot speak to the salience of the concept of calling in Judaism. Several Jewish friends have told me that calling is not a prominent concept in modern Judaism.

7. It may be problematic for modern minds to take literally these “call” experiences. For those who believe in an abstract and impersonal God, “calling” probably does not make much sense. It makes more sense to think of a personal God, like the God of the Bible, “calling” to persons than it is for an impersonal or abstract God to do so. I would note that one of the greatest of all modern minds, the great mathematician and philosopher Blaise Pascal, in recording a conversion experience, viewed his God as the:

God of Abraham, God of Isaac, God of Jacob.

Not of the philosophers and the scholars.

Blaise Pascal, *Pensées: Thoughts on Religion and Other Subjects* 285 (William Finlayson Trotte trans., Washington Square Press 1965) (1670).

8. See Frederick Buechner, *Listening to Your Life: Daily Meditations with Frederick Buechner* (1992).

that the same God of the Bible—who brought Israel out of Egypt and who raised Christ from the tomb—is even now working in the private histories of each of us. God is not a puppeteer who sets the stage and works the strings, but is more like the great director of the drama that is our lives. God

conveys to us somehow from the wings, if we have our eyes, ears, hearts open and sometimes even if we don't, how we can play those roles in a way to enrich and ennoble and hallow the whole vast drama of things including our own small but crucial parts in it.<sup>9</sup>

Our task is to discern what that calling is in our own lives, to listen carefully to what God is doing in our lives. We just might find that God is present in even “the hardest and most hair-raising [events in our lives, offering] us the possibility of that new life and healing which I believe is what salvation is.”<sup>10</sup>

This is not to say that discerning God's call is always an easy thing to do. Not all of us hear a voice coming from a burning bush, are blinded by a light on the road to Damascus, or even hear a still, small voice calling in the night. It takes much faith to hear the healing voice of God in the midst of our everyday lives. Sometimes, even when we believe we are most attuned, all we perceive is silence. At other times, listening for God's call in our lives feels like a great struggle. Perhaps that is why the story of Jacob wrestling all night with the stranger (who may or may not have been God)<sup>11</sup> has always resonated powerfully with many of us.

I also do not mean to imply that discerning God's call in our lives is an individual matter, to be discerned alone, in isolation. Although God's call is always in one sense personal and unique, Christians are necessarily a part of the body of Christ. One cannot follow Christ without being a part of the church. It is one of the responsibilities we share as members of that body to help each other hear the voice of God in our lives, and to help each other find or discover our calling.

#### OCCUPATIONS AS CALLINGS

Discerning and responding to the call of God raises fascinating and important issues. How a person can discern whether God is calling him or her to be a lawyer could be the subject of a fascinating paper. I am not sure, however, that I could write that paper, and in any event that is not my topic. In this essay I will discuss a different usage of the word “calling.” Certain occupations or work are sometimes referred to as “callings,” in part to distinguish that work or occupation from others that presumably are not “callings.” Most commonly, the term “vocation” has been used in the church to refer to those who become

---

9. *Id.* at 323.

10. *Id.* at 322.

11. See *Genesis* 32:23-31.

priests, monks, or nuns. This is not an exclusively Catholic phenomena; many Protestants also think of "calling" primarily with reference to the ordained clergy. My grandfather, who was a Methodist preacher for 60 years, often reminisced fondly of the many "boys" in his churches who had received "the call" (in those days this was an exclusively male group). When he used the definite article with the word call, we all knew exactly what they had been called to do.

If certain occupations are callings, while other occupations are not, the appropriate question would be: Is the practice of law within that category of occupations that can be labeled "callings"? But that is also not going to be the subject of this paper. In his recent book, *The Lawyer's Calling*, Joe Allegretti asserts that is the wrong question.<sup>12</sup> He insists that we should not confer the label of calling on some types of work and not on others. We are *all* called to serve God and neighbor with everything that we are and everything that we have and everything that we do. That includes our work lives as well as our spiritual lives or religious lives. Any occupation, then, can and should be a calling, because any job can be an instrument of service to God and neighbor.

Allegretti discusses how this idea of calling has its roots in the thought of the Reformers. Both Luther and Calvin insisted that work in the secular world could and should be considered a calling, no less than work in the church or the monastery. This Protestant focus on the Christian's responsibility for and in the world was early noted by Max Weber in his classic work *The Protestant Ethic and The Spirit of Capitalism*,<sup>13</sup> in which Weber<sup>14</sup> contrasts the otherworldliness of Dante's *Divine Comedy*<sup>15</sup> with the this-worldliness of *Paradise Lost*<sup>16</sup> by the Puritan, Milton.<sup>17</sup>

It is also the case, as Allegretti notes, that the concept of the call of God in worldly occupations is a prominent feature of modern Catholic thought. Modern Catholic theology insists on the spiritual significance of work.<sup>18</sup> For example, the National Center for the Laity in Chicago promotes the idea that all lay Christians have vocations in

12. Joseph G. Allegretti, *The Lawyer's Calling: Christian Faith and Legal Practice* 29 (1996).

13. Max Weber, *The Protestant Ethic and The Spirit of Capitalism* (Talcott Parsons trans., Charles Scribner's Sons 1958) (1920).

14. See *id.* at 87-89.

15. Dante Alighieri, *The Divine Comedy* (John Ciardi trans., The Franklin Library 1977) (1472).

16. John Milton, *Paradise Lost* (Christopher Ricks ed., Penguin Books 1968) (1667).

17. See Gilbert Meilander, *Professing business: John Paul meets John Wesley*, 113 *The Christian Century* 1200, 1200 (1996) (reviewing Michael Novak, *Business as a Calling: Work and the Examined Life* (1996)). It is perhaps no coincidence that Milton served in the Council of State of Oliver Cromwell's Puritan Commonwealth. See 24 *The New Encyclopedia Britannica* 140 (15th ed. 1994).

18. Allegretti cites Pope John Paul, *Laborem Exercens*, reprinted in *Proclaiming Justice & Peace: Documents From John XXIII-John Paul II*, at 271 (Michael Walsh &

and to the world. William Droel, under the auspices of the Center, has written and edited *The Spirituality of Work*,<sup>19</sup> a series of booklet length essays on the lay vocations of nurses, teachers, homemakers, and others, including lawyers.<sup>20</sup> Also from a Catholic perspective is Michael Novak's recent book, *Business as a Calling*,<sup>21</sup> which emphasizes that business people are called to do God's work in the world.<sup>22</sup>

Indeed, it should not be surprising that the Christian faith emphasizes the call of God in everyday life. In the Hebraic religious traditions, *all* work *should* be a calling. That obligation flows directly from the nature of the God we worship, who commands that "you shall not have other gods besides me."<sup>23</sup> As Tom Shaffer has put it: "The religious heritage of Jews and Christians (and Muslims, too, I think) is an awesome, demanding, put-it-absolutely-first set of habits, propositions, and pressures."<sup>24</sup> God will not allow us to serve other Gods such as money, or power, or status. God demands all of who we are, not just a part.

#### SERVING GOD AND NEIGHBOR AS LAWYERS

To summarize, my faith tradition strongly resists the idea that some occupations are necessarily vocations, while other occupations are not. All people are called to serve God and neighbor regardless of their particular work or occupation. The question, therefore, is not whether the practice of law is a special calling from God that is somehow better than other lines of work. Rather, the better question is: "Can we serve God and neighbor as lawyers?"

Some would insist that this is an inappropriate question. One version of "professionalism" asserts that one's personal life and one's professional life must remain separate. According to this view, it is inappropriate and unprofessional for a lawyer's personal beliefs or attitudes to influence his or her professional behavior. A true professional does the job according to professional standards; personal

---

Brian Davies, eds., 1984), which speaks of our everyday work as a sharing in the creative work of God. Allegretti, *supra* note 12, at 28-29.

19. See generally William Droel, *The Spirituality of Work* (continuing series of pamphlets).

20. The connections between faith and daily work have been receiving much more attention in recent years. The Alban Institute, for example, has published resources on the subject, including two anthologies, *The Calling of the Laity: Verna Dozier's Anthology* (Verna Dozier ed., 1988), and *Faith Goes to Work: Reflections from the Marketplace* (Robert Banks ed., 1993).

21. Michael Novak, *Business as a Calling: Work and the Examined Life* (1996).

22. *Id. passim*. Although I think Novak is far too sanguine about the creative and spiritual possibilities inherent in capitalism, this book is nonetheless a salutary effort at discerning God at work in an arena that liberals like me tend to assume is entirely Godless.

23. *Exodus* 20:3.

24. Thomas L. Shaffer, *Maybe a Lawyer Can be a Servant; If Not . . .*, 27 Tex. Tech L. Rev. 1345, 1345 (1996).

beliefs are irrelevant. This might be referred to as "Remains of the Day" professionalism, after the novel by Kazuo Ishiguro<sup>25</sup> (and the movie version starring Anthony Hopkins and Emma Thompson), in which the leading character, the butler named Stevens, would not let his personal feelings intrude on his duties as a butler. Several law professors have noted the parallels between Stevens's "professionalism" and that of many lawyers.<sup>26</sup> Although this view as I have described it is perhaps a caricature, there are, no doubt, many lawyers who subscribe to at least a mild version of this view.

But this view is difficult if not impossible for Jews and Christians to maintain. As I have already discussed, we are called to live our faith in all of our activities and in all aspects of our lives. God cannot be compartmentalized into the religious sphere of our lives while being irrelevant in our work lives. We simply cannot relegate our obligations to God and neighbor to the "nonlawyer" parts of our lives.<sup>27</sup>

A second possible negative response to this question comes at the question from a very different perspective. I have known people who assert that a person of faith should not or cannot be a lawyer. In their view, the legal system is too corrupt and worldly for a Christian to be able to participate. There is a slightly different version of this idea: law and other-worldly pursuits are acceptable for some people, but once one really commits to God the only option is "full time Christian service,"—having the church as an employer. This is really just a modern restatement of the medieval view of vocation that the Reformers rejected. Ironically, this is a phrase I have heard more than once from Protestant clergy when they recount that someone has left a secular career to go into church work. The view of calling I described above is flatly incompatible with this viewpoint.<sup>28</sup>

I have described two possible negative reactions to the question, "Can we serve God and neighbor in the practice of law?" Happily, there are many lawyers who give positive responses to that question. Recently, I was fortunate to be able to learn this from some outstanding lawyers of faith. The Texas Tech Law Review recently published a special symposium issue on "Faith and the Law."<sup>29</sup> For this symposium, my colleague Tom Baker and I solicited personal essays from

---

25. Kazuo Ishiguro, *The Remains of the Day* (1988).

26. See, e.g., Rob Atkinson, *How the Butler Was Made To Do It: The Perverted Professionalism of The Remains of the Day*, 105 Yale L. J. 177, 180-81 (1995); David Luban, *Stevens's Professionalism and Ours*, 38 Wm. & Mary L. Rev. 297, 298 (1996).

27. To paraphrase a country song performed by Clay Walker, we are called to serve God and neighbor "only on days that end in 'Y'."

28. John Cromartie has described how he left "ministry" in his work as a lawyer for the poor to go into ministry within a local church. He insists that each work was equally a ministry. John L. Cromartie, Jr., *Reflections on Vocation, Calling, Spirituality and Justice*, 27 Tex. Tech L. Rev. 1061 (1996).

29. Thomas E. Baker & Timothy W. Floyd, *A Symposium Précis*, 27 Tex. Tech L. Rev. 911 (1996).

lawyers of faith in which they discussed the intersection of their religious faith and the practice of law.<sup>30</sup>

Without a doubt, working on the Faith and the Law symposium issue was the most rewarding and encouraging project I have ever been involved in during my career as a lawyer. All of the authors, to one degree or another and in very different ways, maintain that the practice of law can be reconciled with their religious faith. Although they gave very different responses coming from very different perspectives, this remarkable group of lawyers overwhelmingly concluded that a lawyer can serve God and neighbor.

The essays illustrate a broad array of different ways lawyers reconcile their work with their faith. One way is to do what Charles DiSalvo has referred to as taking God as your employer.<sup>31</sup> He is referring to those lawyers who seek a close identity between the causes and clients they represent and their religious beliefs. A faithful lawyer can serve God by actively working on God's side. A good example is legal aid lawyers who work full time on behalf of the poor and the outcast. Another example would be lawyers on both sides of the criminal bar. I know prosecutors who say that criminal prosecution is the only work they would consider doing, because the prosecutor's task is to seek justice in every case, and not just serve an individual client's interest. I also know criminal defense lawyers who see themselves as working on God's side, because without their advocacy their clients will be railroaded by an impersonal system. Finally, several contributors to the Faith and the Law symposium may come the closest to literally having God as their employer: they work full time as a lawyer for a religious organization.

Most of our contributors, however, probably would not say that their clients or their employer was necessarily on God's side. Most

---

30. The authors were asked to address how they have reconciled the practice of law with their faith. They were encouraged to write personal essays, to engage in story-telling, in the hope that they would inform and perhaps inspire others. We asked prospective authors to answer such questions as: "What do your religious beliefs teach you about how you should perform your life's work?" "Comparing your faith life and your professional life, would you describe them as being in harmony or in conflict?" "How has your faith contributed positively to your career, at times of crisis and success?" "What advice do you have for someone else attempting to rhyme a legal career with his or her religious beliefs?" *Id.*

The forty-four authors were a remarkably diverse group in terms of their practice. We had lawyers from all sorts of practice specialties, small firm and big firm, prosecution and criminal defense, legal services, judges, legislators, lobbyists, and several attorneys who were no longer practicing. The authors also came from a broad spectrum of religious traditions. Although a sizable majority were Christian, the roster of authors included persons from the faiths of Judaism, Islam, Buddhism, Hinduism, and the Baha'ai faith. The Christian authors included many different churches and denominations.

31. See Charles R. DiSalvo & William L. Droel, *Reflections on the Contents of the Lawyer's Work: Three Models of Spirituality—and Our Struggle With Them*, 27 Tex. Tech L. Rev. 1069, 1073 (1996).

work in private practice; as a group, they represent a wide variety of clients in a broad spectrum of subject matter areas. The authors told many compelling stories as to how faith had shaped their practice as a lawyer, in many different types of work. Most of our authors emphasized that their faith was relevant, and affirmed that their faith has made them a better lawyer. Many authors credited their faith for engendering certain qualities—such as honesty, compassion, courage, humility—that made them better lawyers.<sup>32</sup>

### SHOULD LAWYERS MAINTAIN DISTANCE FROM THEIR PROFESSIONAL ROLE?

I have already described what a tremendous experience it was to work with the contributors to the Faith and the Law Symposium. I learned much and my faith was deepened; I am indebted to those contributors and will remain so for the rest of my career. Yet one aspect of the essays as a whole was slightly unsettling. A theme in many of the essays is a concern that the practice of law poses a threat to the faith. Many authors emphasize that we must be careful that our faith not be corrupted by the practice of law.

This is a theme that has been argued even more strongly by many academic commentators on legal ethics. Many academic critics assume that the practice of law is corrupting. They assert that lawyers should subordinate the "role morality" of the profession to "ordinary"

---

32. There are many examples: Alan Perry emphasized the importance of forgiveness in the practice of law. He finds the ability to forgive grows out of a living faith in a God who forgives. Alan W. Perry, *Javert or Bebb*, 27 Tex. Tech L. Rev. 1271, 1283-84 (1996). Dan Edwards credits faith with helping him love unlovable clients. Dan Edwards, *Reflections on Three Stories: "Practicing" Law and Christianity at the Same Time*, 27 Tex. Tech L. Rev. 1105, 1115 (1996). Monroe Freedman's faith teaches the sanctity and the dignity of the individual, and provides the basis for a commitment to zealous advocacy on their behalf. Monroe H. Freedman, *Legal Ethics from a Jewish Perspective*, 27 Tex. Tech L. Rev. 1131, 1132 (1996). Azizah al-Hibri's faith taught her the values of hard work and fairness. Azizah al-Hibri, *On Being a Muslim Corporate Lawyer*, 27 Tex. Tech L. Rev. 947, 952 (1996). Tom Porter learns from his institutional clients and hopes they learn from him "giving and receiving grace." Thomas W. Porter, Jr., *Engaging the Law*, 27 Tex. Tech L. Rev. 1285, 1290 (1996). Joe Allegritti and Nancy Miller-Herron emphasize that faith puts law practice in perspective and in balance with the rest of their lives. Joseph G. Allegritti, *Neither Curse nor Idol: Towards a Spirituality of Work for Lawyers*, 27 Tex. Tech L. Rev. 963, 964-65 (1996); Nancy Miller-Herron, *On Maintaining Spiritual Sanity in a Secular Vocation*, 27 Tex. Tech L. Rev. 1221, 1222 (1996). Tom Shaffer emphasizes the importance of faith communities in providing resources for deliberation. Shaffer, *supra* note 24, at 1352-54. Joanne Gross realized that her faith provides a lens through which to see God at work in seemingly secular events like trials. Joanne Gross, *The Deliberations of Morals and the Grace of God*, 27 Tex. Tech L. Rev. 1159 (1996). These few examples do not do justice to the individuals I have cited; even less do they give a feel for the richness of stories and insights contained in this volume.



or "common" morality.<sup>33</sup> The assumption is that common morality is inherently superior to the morality of the profession.

Part of the fear of the lawyer's role is that for most of us lawyers, being a lawyer is a central part of who we are. More so than many other occupations, being a lawyer tends to take over our lives. Indeed, our work as lawyers is such an important and overwhelming part of who we are that there is often not much left when we get down to the "nonlawyer" parts of ourselves.

James Elkins has described the typical lawyer persona and cautioned of the dangers inherent in assuming such a mask.<sup>34</sup> Most of us have probably noticed how easy it is to identify strangers in airports or hotels as lawyers based on the way they look and talk. Sometimes they do not even have to talk to give themselves away: I recently saw a person walking around the park near my house. He was a good distance away, and I could not recognize him, yet I had no doubt this was a lawyer. Something about his bearing gave him away (maybe it was the starched button-down oxford shirt he wore with his shorts and sneakers).

Because the lawyer role or persona is so consuming, many wise people have cautioned that we must strive to maintain a healthy and critical distance from our professional role. There is much to be said for not letting our professional identity entirely take over who we are. There certainly ought to be more to us than being a lawyer.

I used to believe quite strongly that maintaining distance from our professional roles was essential, but I am no longer so sure that critical distance from our professional role is healthy or productive. To explain why I have changed my mind about this, I need to describe changes in my thinking about ethics.

I used to be a philosophical liberal on issues of morality. I suspect I shared that perspective with most Americans of my generation. I am relatively certain that it is the perspective of most lawyers. What do I mean by philosophical liberalism? At least in my case, it meant that the following were critical: the importance of individual autonomy, the need to question claims of authority, the importance of reasoning to the right choice when faced with an ethical dilemma, and the need for rules to guide and constrain behavior. I viewed individual autonomy as of paramount importance in ethics because I was skeptical of claims of authority, whether from groups, individuals, or appeal to tradition. Accordingly, I did not believe that our moral autonomy should

---

33. One of the leading exponents of this point of view is David Luban. See David Luban, *Lawyers and Justice: An Ethical Study* (1988). Luban's views are much broader and more nuanced than this brief description, but he is perhaps the leading spokesperson for the view that role morality must be judged by the standards of "ordinary morality."

34. See James R. Elkins, *The Legal Persona: An Essay on the Professional Mask*, 64 Va. L. Rev. 735 (1978).

be compromised by adherence to some traditionally defined or socially imposed role.

In my case, this philosophical liberalism was reinforced by theological views. Paul Tillich's "Protestant principle" asserts that only God is God; as a result, we should view with skepticism any claims to authority, whether by individuals, institutions, or traditions.<sup>35</sup> From Reinhold Niebuhr I learned that all individuals and institutions are a good deal less than perfect.<sup>36</sup> Thus, I maintained what I believed to be a healthy skepticism toward tradition and authority in ethics. I was likewise suspicious of reliance upon character and virtue. I suspected that claims of virtue and character masked elitism and hypocrisy, sexism and racism.

Over the past few years, I have come to view morality very differently than I did before. I have come to realize that *ethics is about what kind of life we will live*. That is the important question for ethics. Living life well consists of much more than dealing with dilemmas or quandaries or thinking our way through to the best choice when faced with a problem.<sup>37</sup>

Any view of ethics that focuses on the goal of a life well lived necessarily owes much to the ethics of Aristotle. And indeed, I would describe my current view of ethics as Aristotelian. There are many ramifications of this perspective:

- Character is more important than reasoned decision-making.
- Virtues and good habits are more important than knowing and following rules.
- Community is at least as important as individualism; good character and virtue can only be fostered in a supportive community.
- Narrative is more important than logic or theory. We all live in accordance with a story; learning and telling the right stories is therefore crucial.
- Our lives must be viewed as a unity; it is a mistake to separate our lives into separate roles.
- We learn morality primarily by example, from role models; it is therefore crucial to have good role models.
- Moral motivation is more important than moral reasoning or moral knowledge.

---

35. For a discussion of Paul Tillich's philosophy referred to as the "Protestant principle," see, for example, William Hordern, *A Layman's Guide to Protestant Theology* 178-79 (rev. ed. 1955).

36. See Reinhold Niebuhr, *The Nature and Destiny of Man* (Charles Scribner's Sons 1949) (printing in one volume Niebuhr's first and second series of Gifford Lectures, I. Human Nature, and II. Human Destiny).

37. See Edmund Pincoffs, *Quandary Ethics*, in *Revisions: Changing Perspectives in Moral Philosophy* 92, 93 (Stanley Hauerwas & Asadair MacIntyre, eds., 1983).

Why did I change my perspective on ethics so radically? In part, I became convinced by my reading of the moral philosopher Alasdair MacIntyre and the theologian Stanley Hauerwas that liberalism provides an inadequate, if not impoverished, view of the moral life.<sup>38</sup> I am also indebted to Tom Shaffer and Jack Sammons for applying the ideas of MacIntyre and Hauerwas to legal ethics.<sup>39</sup>

My work as a teacher of legal ethics, and as a participant in the lawyer disciplinary system in Texas,<sup>40</sup> has probably played an even larger role in this turnabout in my thinking. Most of the problems that get lawyers in trouble are not due to ignorance of the Rules of Professional Conduct. The biggest single problem faced by the lawyer disciplinary system is neglect of a client's business. Laziness and neglect get lawyers in trouble far more often than poor moral reasoning. As Bob Dylan puts the matter: "People don't do what they say they believe; they just do what's convenient, and then they repent."<sup>41</sup> As a teacher of legal ethics, I have become convinced that the crucial question is: When crunch time comes, how can we ensure that lawyers will do the right thing? The Aristotelian answer is *character*.

One other factor has undoubtedly played a role in this change. As parents, my wife and I have the greatest responsibility for the teaching of ethics that people can have. In that role, I have learned most clearly that character, virtue, habits, narrative, and community are essential in raising our children to live the best lives they can.

#### THE PRACTICE OF LAW AS A CHARACTER-BUILDING ACTIVITY

Now, with that intellectual odyssey as background, let me explain why I no longer think that maintaining distance from our professional role is a good idea. Our moral life must be a unity. We cannot separate ourselves into personal roles and work roles and community roles

---

38. See, e.g., Stanley Hauerwas, *A Community of Character: Toward a Constructive Christian Social Ethic* 72-89 (1981) (challenging the common assumption by contemporary Christians that secular liberalism is compatible with their Christian beliefs); Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* 241 (1981) [hereinafter MacIntyre, *After Virtue*] (arguing that "in spite of the efforts of three centuries of moral philosophy and one of sociology, [there is still no] coherent and rationally defensible statement of a liberal individualist point of view"); Alasdair MacIntyre, *Whose Justice? Which Rationality?* *passim* (1988) (asserting that incompatible conceptions of justice are characteristically closely linked to different and incompatible conceptions of practical rationality, and explaining the connection between justice and laws).

39. See Jack L. Sammons, *The Professionalism Movement: The Problems Defined*, 7 Notre Dame J.L. Ethics & Pub. Pol'y. 269 (1993); Thomas L. Shaffer, *On Being a Professional Elder*, 62 Notre Dame L. Rev. 624 (1987). Jefferson Powell has applied the insights of MacIntyre to the American constitutional tradition. See H. Jefferson Powell, *The Moral Tradition of American Constitutionalism: A Theological Interpretation* (1993).

40. I serve as Chair of the Texas Supreme Court Grievance Oversight Committee.

41. Bob Dylan, *Brownsville Girl*, on Bob Dylan's Greatest Hits Vol. 3 (Columbia 1994).

and family roles. Like Atticus Finch, we must be the same person in town that we are at home.<sup>42</sup> That is not just a normative claim about consistency; that is an empirical claim. We simply cannot be different people in one role than we are in our other roles.

Therefore, it is bad news indeed if law practice is a corrupting influence on us. Indeed, it is far more dangerous under my Aristotelian view than it would be if liberalism was an accurate description of our moral lives. According to Aristotle, we become what we habitually do. If the practice of law is a threat to faithful and healthy living, I fear that it will ultimately corrupt us no matter how much we remain on guard to protect our "true" selves. We have no true self other than the one who is also a lawyer.

Given my Aristotelian view of ethics, I want to believe that being a good lawyer makes one a better person. I want to believe that one cannot be a bad person and a good lawyer, or, for those who do practice law, you cannot be a good person if you are a bad lawyer. I want to believe that the practice of law itself is supportive of virtue and is formative of good character. This is especially important to me because I am not just a lawyer, I am also a producer of lawyers.

To return to the topic of this paper, I have stated that "calling" requires that we serve God and neighbor in all that we do. In order to view the practice of law as a calling, it is not enough to believe that it is possible, every now and then, to do some good in the world as lawyers. No, if the practice of law is a calling, the practice itself must be character building. The practice of law should equip us to better serve God and neighbor. Another way of stating this is to ask: "Are we better people for being lawyers?" If the practice of law is truly a calling, we must be able to answer that question "Yes." Of course, it is one thing to *want* to answer that question "Yes"; it is another thing in fact and in truth to answer the question "Yes." My rather bold claim is that lawyering *can* make us better people. In fact, if done well, practicing law will inevitably make us better people.

Ray Goff was fired as head coach of the University of Georgia football team at the end of the 1995 season. I saw him interviewed on television not long after he was fired. He stated that the most important thing for him as a coach was to know that the young people he coached were better people when they left than when they enrolled.<sup>43</sup> That is what I want to be able to say about law school: our graduates are better people for having completed our program. More impor-

---

42. See Harper Lee, *To Kill a Mockingbird* (1960).

43. I am not suggesting that we take major college and professional sports as our models. I know that major college sports are shot full of corruption, and coaches' talk about character-building is often self-serving cant. Ray Goff was fired because he did not win enough football games, regardless of the effect he may have had on his players' character. From what little I know of Ray Goff, however, I do believe he was sincere about character building.

tantly, that is what all lawyers should all be able to say after a career at the bar.

Now I know this flies in the face of conventional wisdom, especially among academic lawyers. The very question about lawyering improving character probably sounds odd to most people. Most people assume that you are either a good person or you are not long before you ever become a lawyer.

I have recently received a good dose of this type of thinking in some work I did with the State Bar of Texas. The professionalism committee on which I serve has met several times recently with the deans of the nine law schools in our state to discuss issues relating to improving the ethics and professionalism of new lawyers. The deans have been quite insistent that although law schools can teach knowledge of the rules governing lawyers' conduct, we should not expect law school to have an effect on law students' character. The deans used phrases to the effect of "our students' ethics are pretty much set in stone before we get them," and "the ethical die is cast long before students enter law school." Of course, the deans are philosophical liberals. Questions of character are mysterious and even embarrassing to most modern, liberal people. To be sure, there are sound historical reasons for this unease.

But the truth is, lawyering does shape us. As noted above, it is a large part of who we are. I know that I am a different person in many ways (some better, some worse) since I began law school twenty years ago. That is why many people emphasize keeping your "true self" from becoming corrupted by being a lawyer. Law schools have traditionally taken responsibility for and pride in shaping our students intellectually. It is time that we recognized that we also affect the character of law students. Unfortunately, that effect is not always for the better. John Mixon and Robert Schuwerk have recently reviewed the literature and the research on the destructive effects of legal education on law students.<sup>44</sup> In light of that, perhaps I should not be so concerned with legal education *improving* the character of our students. Maybe we law teachers should take the Hippocratic oath: First, do no harm.

#### HOW "PRACTICE" CAN SUPPORT AND SUSTAIN VIRTUES

I realize that I need to justify my claim that the practice of law can make us better people. For that purpose, I will rely upon the work of Alasdair MacIntyre, who is a leading proponent of an ethic of character and of virtue, and of recovering the insights of Aristotle. Two concepts that are central to his thought are "practices" and "virtues." I

---

44. See John Mixon & Robert P. Schuwerk, *The Personal Dimension of Professional Responsibility*, 58 Law & Contemp. Probs. 87 (1995).

want to focus on both of those concepts in exploring how being a lawyer is a way of living a good life.

MacIntyre gives both of these terms—practice and virtue—rather technical meanings; and the two terms are dependent upon each other. In fact, virtues are defined in terms of practices. Virtues are developed and sustained within practices.<sup>45</sup> He goes on to define a practice as follows:

[A]ny coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved, are systematically extended.<sup>46</sup>

He gives examples of practices: playing tic-tac-toe is not a practice, but playing chess is. Planting turnips is not a practice, but farming is. Indeed, the range of practices is quite wide; it includes arts, sciences, games, politics in the Aristotelian sense, and the making and sustaining of family life.

A crucial part of the definition of a practice is the distinction between internal and external goods. To illustrate the distinction, MacIntyre uses the game of chess. The internal goods are those that can only come from within the practice—things like the achievement of a certain highly particular kind of analytical skill, strategic imagination, and competitive intensity, and a new set of reasons for trying to excel in whatever way the game of chess demands. Internal goods cannot be had in any way but by playing the game; they are learned from the masters, from those who have preceded them in the practice. Internal goods can also be recognized only by the experience of participating in the practice in question. Those without such experience are incompetent as judges of internal goods.

On the other hand, external goods are externally and contingently attached to chess-playing and other practices by the accidents of social circumstances. These include such goods as prestige, status, and money. There are always other ways to achieve external goods, and their achievement is never to be had only by engaging in some particular kind of practice. Now, external goods are not necessarily bad; after all, they are “goods.” But for a practice, external goods are always potentially corrupting. To use the chess example once more, for a player who is motivated solely by external goods, there is no good

45. The “notion of a particular type of practice as providing the arena in which the virtues are exhibited and in terms of which they are to receive their primary, if incomplete, definition is crucial to the whole enterprise of identifying a core concept of the virtues.” MacIntyre, *After Virtue*, *supra* note 38, at 175.

46. *Id.*

reason not to cheat. The internal goods of chess, however, cannot be realized by cheating.

With that background, MacIntyre asserts that virtues are those human qualities that enable us to achieve the internal goods of practices.<sup>47</sup> Different practices require and foster different virtues; but MacIntyre does assert that any practice with internal goods and standards of excellence requires at the least the virtues of justice, courage, and honesty.

MacIntyre is concerned to show that virtues are much more than qualities that sustain practices. His view of morality insists that a human life should be envisaged as a whole. A virtue is not, therefore, a disposition that makes for success in only one type of situation. MacIntyre is quite critical of the modern tendency to separate ourselves into separate and distinct roles. In this connection he distinguishes virtues from professional skills, which are deployed only in those situations where they can be effective.

Virtues are not to be evaluated in terms of how effective they make us in particular situations; virtues are necessary for us to live life well. As MacIntyre puts it, virtues "sustain us in the relevant kind of quest for the good, by enabling us to overcome the harms, dangers, temptations, and distractions that we encounter, and which will furnish us with increasing self-knowledge and increasing knowledge of the good."<sup>48</sup>

Two other MacIntyrean concepts are important to my argument: narrative and tradition. As noted above, he emphasizes that our lives must be viewed as a whole. The self must be envisaged in the unity of a narrative "which links birth to life to death as narrative beginning to middle to end."<sup>49</sup> Likewise, our individual narratives are a part of larger stories. And our practices are themselves embedded in an ongoing tradition. All practices are necessarily historical.

Liberalism has always been quite suspicious of tradition, primarily on the ground that tradition tends to freeze our ideas and relationships in the past. Many people point to the gains made in freedom and equality in modern times, and assume that adherence to tradition stands in the way of such progress. We should be skeptical of a blind adherence to a static tradition.

But it is crucial to recognize the dynamic nature of traditions. According to MacIntyre, traditions are essentially argumentative in nature. A tradition is never frozen in time; it is a historically extended, socially embodied argument about the nature of the goods that constitute that tradition. Traditions are always changing; they continue a

---

47. "A virtue is an acquired human quality the possession and exercise of which tends to enable us to achieve those goods which are internal to practices and the lack of which effectively prevents us from achieving any such goods." *Id.* at 178.

48. *Id.* at 204.

49. *Id.* at 191.

not yet completed narrative. To survive, a tradition must grasp future possibilities. Sometimes traditions decay, disintegrate, and disappear. The key to a tradition surviving and even flourishing is the exercise of the virtues.<sup>50</sup>

### THE PRACTICE OF LAW AS A "PRACTICE"

My defense of the practice of law as a means of fostering virtue, of making its practitioners better people, is dependent upon the practice of law being a "practice" as MacIntyre uses that term.<sup>51</sup> In particular, I will rely upon the concepts of "internal goods" and of virtues.

The prism through which I want to look at internal goods and virtues in the practice of law is the Professionalism Movement. Jack Sammons has given us a brief history and summary of this movement.<sup>52</sup> That history includes the ABA's Commission on Professionalism and its 1986 Stanley Report;<sup>53</sup> numerous state supreme court and state bar commissions and committees on professionalism, and a proliferation of professionalism creeds, aspirational statements, and codes of civility. Most recently, the Professionalism Committee of the ABA Section on Legal Education has issued a Report recommending fundamental changes in the education and socialization of lawyers in order to increase the level of professionalism.<sup>54</sup>

The Professionalism Movement has struck a chord with many lawyers and judges, and it shows no signs of going away. Of course there is a fair measure of self-congratulation, hypocrisy, and false nostalgia in the repeated calls for an increase in professionalism. But I am convinced that the movement has much value. I base that largely upon my own experiences with lawyers who are committed to "professionalism."

In MacIntyre's terms, I believe the movement has been trying to focus the profession toward the internal goods of the practice. Although they do not use MacIntyre's terminology, the advocates of

---

50. *Id.* at 207.

51. Many would say that the profession is too large and heterogeneous to constitute a MacIntyrean practice. The modern American legal profession is made up of many diverse people doing widely different work. In fact, it is much more diverse in terms of people and in terms of types of work than it was even a generation ago. It should be obvious that this increased diversity is a very good thing. Increased diversity does not necessarily mean that the profession cannot be a "practice." Indeed, if we look carefully at MacIntyre's definition of a "practice," law practice fits very comfortably within the definition.

52. See Sammons, *supra* note 39. My understanding and description of the movement is largely derivative of that of Sammons. In fact, my understanding of the moral value of the practice of law is largely a restatement of what Jack Sammons has been saying for years.

53. See ABA Comm. on Professionalism, " . . . In the Spirit of Public Service": A Blueprint for Rekindling of Lawyer Professionalism (1986).

54. See ABA Professionalism Comm., Teaching and Learning Professionalism (1996).



professionalism are concerned that external goods have come to dominate the practice.

This can be seen in the two most prominent themes of the Professionalism Movement. The first theme is anti-commercialism. Most commonly, this is phrased as a complaint that the practice of law has become a "business." To some extent, these complaints are misplaced. In the first place, this complaint is unnecessarily harsh toward business.<sup>55</sup> In the second place, lawyers have always been in business, and they have traditionally been paid well for their services. Finally, advertising and increased competition (two targets of the movement) are not bad in themselves; they can be a good thing for consumers of legal services.

Having said that, there is much good to be said about this "anti-commercialism" strand of the Professionalism Movement. Although they do not always say it as clearly as they should, lawyers who complain about commercialism have legitimate fears. They fear that external goods have replaced internal goods in the practice.<sup>56</sup> They are concerned that the desire for external goods, such as money, prestige, and winning at all costs, is driving out the internal goods, those goods that lead to excellence in the practice.

A second theme of the Professionalism Movement is an emphasis on "civility." At a minimum, civility implies that we can disagree without being rude or deliberately harassing of those on the other side of a lawsuit.<sup>57</sup> More importantly, however, the call for civility is also a plea to stress the internal goods of the practice as opposed to the external goods. It is the nature of internal goods of a practice, the goods that lead to excellence in the practice, that they are not zero-sum. That is, everyone involved in the practice has an interest in seeing the internal goods increase. There are very good reasons to be civil to fellow members of your practice, if you seek internal goods of the practice. That is not true of external goods. If you seek only the external goods of fame, fortune, or victory at all costs, there is no good reason for being civil—or even for not cheating.

The Professionalism Movement is a controversial place for me to take a stand. It has been roundly criticized by legal academicians, including some of the very best thinkers and writers on legal ethics.<sup>58</sup>

---

55. Mary Ann Glendon, *A Nation Under Lawyers: How the Crisis in the Legal Profession Is Transforming American Society* 70-71 (1994).

56. The truth is, some lawyers do make too much money. I sometimes think our biggest problem as a profession is that we keep wanting bigger barns and more grain. See *Luke* 12:13-21.

57. M. Scott Peck's latest book, *A World Waiting to Be Born: Civility Rediscovered* (1993), contains an excellent discussion not only of civility, but also of vocation. See *id.* at 61-79.

58. To take only the three best critical discussions of professionalism by legal ethicists, see Rob Atkinson, *A Dissenter's Commentary on the Professionalism Crusade*, 74 *Tex. L. Rev.* 259 (1995); Russell G. Pearce, *The Professionalism Paradigm Shift: Why Discarding Professional Ideology Will Improve the Conduct and Reputa-*

Most academic lawyers who have written about the Professionalism Movement have been highly critical. I think the main problem is that they misperceive the nature of the movement. The advocates of professionalism are interested in character and virtue; they are groping toward recovering the internal goods of the profession.<sup>59</sup> The themes emphasized by the Professionalism Movement—the criticism of commercialism and of incivility—do not make sense if they are seen as rules. Anti-commercialism is not and cannot be a rule governing lawyer's conduct, and civility likewise cannot and should not be enforced as a rule applicable in all circumstances. Rather, the Professionalism Movement is struggling toward a rediscovery of the need for character and virtue as the foundations of legal ethics.

#### LAWYERS' VIRTUES

My main reason for claiming that the practice of law is a "practice" is that, at its best, lawyering does engender certain virtues and is itself sustained by those virtues. What are those lawyerly virtues? I will name four such virtues. It so happens that the four virtues I will discuss are the most important virtues. The four cardinal virtues from medieval thought, the virtues on which the others all hinge, are prudence, temperance, fortitude, and justice. The practice of law, when done well and done right, fosters and is sustained by each of these virtues.<sup>60</sup>

##### (1) Prudence (or practical wisdom)

This virtue is essential for that old and honorable title lawyers claim, "counselor." Practical wisdom is the quality clients need and expect most of all in a counselor. Mary Ann Glendon and Anthony Kronman have recently written important books about lawyering; both emphasize the importance of practical wisdom.<sup>61</sup>

##### (2) Temperance (self-control)

The practice needs this virtue among its practitioners. We lawyers are proud of the fact that we are a self-regulating profession. As a practical matter, however, our conduct goes largely unregulated. Excesses of zeal and combativeness seldom lead

---

*tion of the Bar*, 70 N.Y.U. L. Rev. 1229 (1995); and Thomas L. Shaffer, *Lawyer Professionalism as a Moral Argument*, 26 Gonz. L. Rev. 393 (1990-1991).

59. I think Jack Sammons has it about right. "I believe that the Professionalism Movement is doing what should be done as best as we now know how to do it even with all its lurching and stumbling." Sammons, *supra* note 39, at 275.

60. I can only very briefly suggest here how the practice of law at its best develops each of these cardinal virtues. The qualifier "at its best" is crucial. Of course there are many lawyers who do not exhibit the virtues I describe here. My point is to describe a professional ideal. Lawyers should emulate those lawyers who have achieved excellence in the practice of law. To do that, we need more discussions about what constitutes excellence in the practice.

61. Glendon, *supra* note 55; Anthony Kronman, *The Lost Lawyer* (1993).

to sanction. Instead, the profession necessarily relies upon the self-control of each member. At its best, the practice of law encourages and fosters the kind of self-control that allows lawyers to be independent of outside regulation.

(3) Fortitude (courage)

It is an essential feature of good lawyering that lawyers must often have the courage to do what is contrary to their own self-interest. It takes fortitude to turn down a lucrative new client because of a conflict of interest with a current client. Sometimes lawyers must even face the hostility of others. It took courage for John Adams to represent the British soldiers. It took courage for Thurgood Marshall to travel the backroads of the South and appear before hostile courtrooms in the effort to desegregate the schools.

(4) Justice

*This* is the fundamental lawyerly virtue. A professional should have some idea or quality to profess. For our profession, that idea is preeminently justice. Ideally, the practice of law fosters and encourages justice. Conversely, the practice of law cannot long sustain itself if lawyers do not possess a thirst for justice.<sup>62</sup>

But what precisely does the practice of law have to do with justice? Is justice the stuff of the everyday practice of law? Most accounts that attempt to reconcile the practice of law and justice do so only externally. That is, a lawyer is morally justified as a lawyer if she represents just clients or just causes. Or another way of seeking external justification is to believe that the legal system as a whole produces justice, so that each cog in the machine may be said to be contributing to justice.

I am convinced that we must see justice as the cornerstone of the everyday pursuit of our calling. But we lawyers do not achieve justice in the liberal way of abstractions—of reasoning our way to rational solutions. Ideally, we achieve justice by doing our job, by performing our role. And that job is representing clients. Lawyers help clients in the prevention and resolution of disputes. That is done most often through wise counseling, and through effective advocacy when necessary.

In legal terms, lawyers owe fiduciary duties to their clients, duties which entail the utmost in loyalty and good faith. Joe Allegritti has described the fruitfulness of the concept of covenant for lawyer/client relations.<sup>63</sup> At its best, the lawyer's relationship with his or her client

---

62. Although I am a defender of the Professionalism Movement, I believe the movement is weak in the area of promoting and achieving justice. Critics often point out that the very term "professionalism" is devoid of meaning. This is where the Professionalism Movement needs to focus: more attention should be paid to issues of justice. This must include issues of legal services to the poor.

63. See Joseph Allegritti, *Lawyers, Clients, and Covenant: A Religious Perspective on Legal Practice and Ethics*, 66 Fordham L. Rev. 1101 (1998). He draws upon Wil-

can be one of openness, trust, and enduring faithfulness. Those are precisely the kind of relationships God calls us to in all of life.

Although loyalty is the cornerstone of lawyers' relationships with their clients, the lawyer's duty of loyalty has taken a beating from academic and lay critics. Lawyers are criticized for being hired guns, for taking immoral actions on behalf of their clients, and for turning a blind eye on client misdeeds. Much of the criticism is valid; for example, I probably need only say the name Kaye Scholer to reference some of that criticism. Nonetheless, loyalty is a fundamental attribute of all good lawyers. But the duty of loyalty must be disengaged from its "hired gun" caricature. The lawyerly virtue of loyalty is analogous to a fundamental biblical concept. A central idea of both the Hebrew scriptures and of the New Testament is covenant. God is portrayed as being in covenant with God's people. God remains steadfast in loyalty to the people, even when they do not remain faithful.<sup>64</sup> The Hebrew word used to describe that divine attribute, "*khesed*," is usually translated into English versions of the Bible as "steadfast love" (although the King James version usually translated it as "mercy").<sup>65</sup> The word contains the ideas of devotion, loyalty, and covenant faithfulness.

That is the kind of loyalty that lawyers should strive to develop.<sup>66</sup> Note that this is anything but *blind* loyalty. God continually calls us to account when we fall short and fail to do God's will, but God ultimately remains faithful within the covenant relationship, no matter how faithless we are.

Tied closely to the idea of loyalty is the concept of advocacy. To be an "advocate" literally means to be "called to" the side of someone who is in need of help. Considered as rule or as an obligation under all circumstances, zealous advocacy can certainly lead to untenable results. But considered as a virtue, as a necessary step to attaining excellence, loyalty to someone in trouble—someone in need of an advocate—can be a calling from God.

#### GOD IN THE MIDST OF LAWYERING

Ultimately, I am claiming that the practice of law, at its best, is character building—that it fosters the development of virtue in its practitioners. From my faith perspective, that is simply another way of

---

liam May's discussion of covenant in the doctor/patient relationship. *Id.* at 1114-15 (citing William F. May, *The Physician's Covenant: Images of the Healer in Medical Ethics* (1983)).

64. Perhaps the best description is by the prophet Hosea, who compares Israel to a faithless spouse, yet God remains steadfast in his love. *Hosea* 1:1-3

65. See *The HarperCollins Bible Dictionary* 627-68 (1996) (defining "loving-kindness" as derived from the Hebrew word "*khesed*," and listing other translations of "*khesed*," such as "steadfast love" and "mercy").

66. I realize it is dangerous to suggest to lawyers that they should be like God; for too many, the distinction is blurred already!

saying that through the practice of law we can become persons who better serve God and neighbor. For that reason, the practice of law can be a calling.

I must make clear that I am not assuming some given or static conception of lawyering. Rather, what we need are fresh ways of looking at and discussing what is good in the practice of law. As a profession, we must discuss together what is good lawyering, and what is not. We need to support each other in our work as lawyers. We must tell stories about lawyers and lawyering that instruct and inspire. We must hold up role models and heroes to emulate.

I realize that I am painting an idealized picture of law practice. But we need to find the best picture of law practice that we can, and then we need to live in it. We need to argue about excellence, about what is right and just. The alternative is to be cynical and find not much good in it. That, I have already argued, is a recipe for disaster.

I also realize that many may find it odd that I would expect the world of law practice to be capable of engendering good character. The professional world of lawyers is complex and morally ambiguous at best; some would even say that it has become a mean and nasty world. But is the world of law practice really any different, in this respect, from life in general? Saint Paul said we must be in the world but not of the world. If we are going to live our lives well, to be faithful to God's will, it will always be in the midst of complexity and downright evil.

My biggest concern in pointing to the positive aspects of the practice of law is that I run the risk of idolatry; that is, of putting my faith in the profession, or a system, or in a group of people, rather than in God. Idolatry is always a lurking danger. It stems from a lack of faith, of trust, in God. Because we place our faith in an unseen God, faith must always be risked. Our desire for certainty leads us to put our trust in visible or tangible things; that is the root cause for idolatry.

Our trust and faith must be in God, and not in the world of law and lawyering. But because we are always accountable to God, what we do in our lives, and especially in our relationships with others, is always of ultimate and infinite importance. That necessarily means that the work we do as lawyers is also of infinite importance. We cannot be certain that practicing law can be the redeeming force for good and for justice that I am claiming. But we can have confidence in the God who created, judges, and redeems all things; that God can and will redeem us and our fallen world of law practice.

God is in the midst of all that we do as lawyers. The world of law practice—no less than any other place in God's creation—is a sacred place. God constantly calls us to serve God and our neighbors through our work as lawyers, and through that work to become the best people we can be.